

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

DELBERT FRAZIER,	)	
	)	
Plaintiff,	)	
vs.	)	NO. CIV-06-880-T
	)	
MIKE BORGES, et al.,	)	
	)	
Defendants.	)	

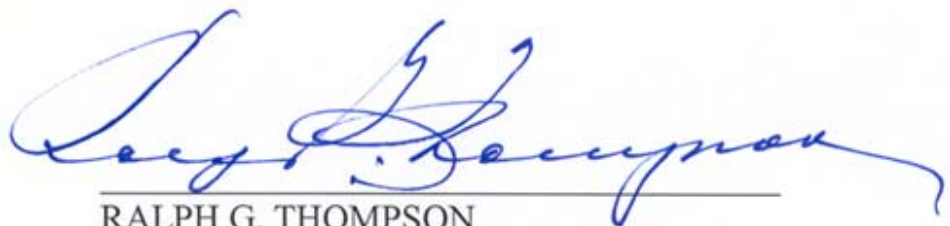
ORDER

Plaintiff, a state prisoner appearing *pro se*, brought this action pursuant to 42 U. S. C. § 1983, alleging that defendants violated his constitutional rights by destroying personal property. Pursuant to 28 U. S. C. § 636(b)(1)(B), the matter was referred to United States Magistrate Judge Gary M. Purcell for initial proceedings.

On September 21, 2006, Judge Purcell filed a Report and Recommendation [Doc. No. 6] in which he recommended that the action be dismissed upon filing in accordance with 28 U. S. C. § 1915A(b) and 1915(2)(B). In the Report and Recommendation, Judge Purcell advised plaintiff of his right to object to same and set an October 11, 2006 deadline for filing any objections. He also cautioned plaintiff that failure to timely object would result in the waiver of his right to appellate review of the factual findings and legal conclusions in the Report and Recommendation.

Upon plaintiff's request, the undersigned granted plaintiff an extension of time until November 10, 2006 in which to file objections. That deadline has expired, and plaintiff has failed to object to the Report and Recommendation. Accordingly, the Report and Recommendation [Doc. No. 6] is adopted as though fully set forth herein, and this action is dismissed upon filing. The dismissal counts one "strike" pursuant to 28 U. S. C. § 1915(g).

IT IS SO ORDERED this 20<sup>th</sup> day of November, 2006.



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RALPH G. THOMPSON  
UNITED STATES DISTRICT JUDGE